

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

May 7, 2012

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Gary Farley
Commissioner Trey Gooch
Commissioner Jeff Jordan
Commissioner Steve Sandlin
Commissioner Robert Stevens
Commissioner Adam Coggin, C

OTHERS PRESENT:

Ernest Burgess	Lisa Nolen
Sonya Stephenson	Jack Robinson
Richard Garvin	Nicole Lester
Ransom Jones	Jimmy Evans
Heather Dawbarn	Suma Clark
Keith Bratcher	Susan Allen
Jeremy Cothorn	Robert Arnold
Brian Robertson	Mike Curtis
Becky Shelton	

Chairman Coggin presided and called the meeting to order at 6:00 p.m. with all members being present at that time.

MINUTES:

"Commissioner Gooch moved, seconded by Commissioner Sandlin, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

ANNOUNCE TWO VACANCIES ON LINEBAUGH LIBRARY BOARD:

Chairman Coggin advised the terms of Richard Garvin, Jr. and Sherry Carpenter on the Linebaugh Library Board were expiring and accordingly being announced.

ANNOUNCE VACANCIES ON ROAD BOARD AND SCHOOL BOARD ZONES COMMITTEE:

Chairman Coggin advised the positions of representatives from Road Board, School Board, County Commission and two citizens who reside in unincorporated areas of Rutherford County for the Road Board and School Board Zones Committee were being announced.

RATIFICATION OF PRIVATE CHAPTER NO. 49, HOUSE BILL 3847, SENATE BILL 3767, RELATIVE TO THE RUTHERFORD COUNTY BOARD OF EDUCATION:

Chairman Coggin advised Private Chapter No. 49, House Bill 3847, Senate Bill 3767 relative to the Rutherford County Board of Education had been received back from the State Legislature and needed to be ratified. The Act provides for the redistricting of the School Board districts. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Sandlin, to approve the ratification of Private Chapter No. 49, House Bill 3847, Senate Bill 3767 relative to the Rutherford County Board of Education. This motion passed unanimously by acclamation."

RATIFICATION OF PRIVATE CHAPTER NO. 47, HOUSE BILL 3840, SENATE BILL 3765 AND PRIVATE CHAPTER 59, HOUSE BILL 3841, SENATE BILL 3766 RELATIVE TO THE RUTHERFORD COUNTY HIGHWAY DEPARTMENT:

Chairman Coggin next advised Private Chapter No. 47, House Bill 3840, Senate Bill 3765 which redistricts the Road Board districts and Private Chapter 59, House Bill 3841 and Senate Bill 3766 which extends to six years the term of Road Board District 7 in the August 2012 election for one term and extends to six years the term of Road Board District 2 in the August 2014 election for one term had been received back from the State Legislature and needed to be ratified. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Black, to approve Private Chapter No. 47, House Bill 3840, Senate Bill 3765 and Private Chapter 59, House Bill 3841 and Senate Bill 3766. This

motion passed unanimously by acclamation."

COUNTY ATTORNEY LEGAL SERVICES AGREEMENT:

Mayor Burgess next reminded the Committee of the County Attorney Legal Services Agreement previously entered into which provided for routine services for a two year period expiring June 30, 2012 and extended litigation services expiring 2014. Mayor Burgess recommended the Committee proceed with establishing an in-house County Attorney for routine services as this will need to be in the 2012/13 budget. Commissioner Farley advised this was the intent of the Commission and provides for savings and the County needs to stick to the plan. Mayor Burgess advised he was requesting reaffirmation and he will post the position to hire effective with approval of the new budget.

The Committee inquired if the position is not filled would the County have any options. Mayor Burgess advised an option would be to extend the current County Attorney agreement but the County Attorney would not have to if he chose not to.

Commissioner Farley inquired who would hire the attorney. Mayor Burgess advised he with the HR Director would interview and make a recommendation with the Steering Committee and Commission to confirm the position.

Mayor Burgess advised the medium salary is \$115,000 to \$120,000 depending on experience. The estimated budget for the office is \$320,000 to \$330,000 and one attorney is anticipated at this time. The Committee was advised 1,250 hours have been billed for routine services in the last year which does not include any litigation. The County will have to decide how to handle litigation services in the next two years.

Chairman Coggin advised he had some comfort with having legal counsel with history with the County. Commissioner Farley advised he had confidence in the Mayor to find the caliber of the current counsel in the new attorney. Mayor Burgess advised it would take a competent person to handle the position. Commissioner Farley advised counties half the size of Rutherford County have in-house counsel. Commissioner Sandlin advised the Commission has been talking about an in-house attorney for twenty years. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner Farley, to approve establishing an in-house County Attorney's Office and proceeding with action as previously set forth with the County Mayor with the HR Director to make a recommendation and Steering Committee and Commission to approve. This motion passed by acclamation with Chairman Coggin voting "no".

CONFORMING WITH STATE SENATE BOUNDARIES:

Ransom Jones advised the Committee the voting precincts would be reduced by nineteen if the Commission adopts the Election Commission recommendation changing the Commission lines. The Senate lines do not coincide with the County Commission lines and State law does not allow more than one Senator on a ballot in a precinct. Nineteen additional precincts were created because the Senate lines do not follow the Commission lines. Commissioner Sandlin advised nine Commission districts are affected but the population remains in the required percentages and appears to be a simple fix. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner Black, to approve the maps as presented by the Election Commission changing Commission districts to conform to State Senate lines. This motion passed unanimously by acclamation."

HUMAN RESOURCES REPORT:

Sonya Stephenson, HR Director, next addressed the Committee presenting a proposed budget amendment of \$830 from Account #101-5130-

103 (Assistants) to Account #101-51310-189 (Other Salaries & Wages) to provide adequate funding for the HR Coordinator position. The shortage occurred due to turnover with the current employee having more experience than the previous employee. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Gooch, to approve the budget amendment of \$830 from Account #101-5130-103 (Assistants) to Account #101-51310-189 (Other Salaries & Wages). This motion passed unanimously by roll call vote."

Ms. Stephenson and Ms. Nolen next presented a proposed salary schedule advising as history in August, 2011, Commissioner McAdoo requested a 1.75% salary increase for employees who had not received an increase since fiscal year 07/08, topped out employees. During the deliberation of this request there were concerns of the necessity of giving the increases because a salary survey had not been completed to substantiate the request. The increases were given but it was suggested that the Human Resources office conduct a salary survey and provide the findings for the 12/13 budget. Ms. Stephenson advised based on this request, she contacted CTAS for salary data which they did not have but did offer to assist with the process by coordinating an internship combining efforts between UT and MTSU. An internship was established with a graduate student and the survey was conducted in December, 2011 by requesting salary information from like sized counties and their largest municipalities. After the results were combined, three counties and their cities that were comparable in size and revenue were used for the analysis. The counties used in the analysis were Montgomery, Sumner and Williamson. The municipalities used were Franklin and Murfreesboro. With the results, all positions currently active within the county were analyzed to ensure the position was in the correct grade based on the survey data. Then each employee's work experience was evaluated to ensure they were in the correct step, the intention being to catch up prior steps held and not paid. Lastly, the table was expanded from one to twenty to move the table to an annual increase as opposed to bi-annual increases. Ultimately the goal is to ensure fairness, consistency and equity for all with a reasonable expectation to be able to afford the suggested table being fair to the employees and taxpayers.

Ms. Stephenson advised her recommendations for 2012/13 are (1) to expand the table from one to twenty steps using the same median as current table but stratifying over 20 steps; (2) go to an annual increase; (3) catch up steps from prior years using an evaluation formula, valuation was determined using the employee's county work history, years in position and years in other positions on a percentage scale of 10% to 100% based upon the grade of the position that they are being evaluated; (4) move positions to their new grade based upon survey data and (5) maximum increase of \$5,000 annually and holding those that are over the salary range until they catch up.

Ms. Stephenson advised if the County makes no changes and stays on the current path and only allowing a step increase for those employees who have been in their current steps for two years the salary/wage cost to the General Fund is approximately \$372,850. To implement the first phase of the proposed plan costs an additional \$1,234,000 in salary/wages. This is a process and may take up to five years to fully implement. Also, Ms. Stephenson advised she would like the ability to correct monetarily any evaluations which are inaccurate that are not evident at this time.

Commissioner Sandlin advised the proposed pay plan is about retaining employees.

Ms. Stephenson advised there are 108 employees not due any increase. There are 97 employees that are under market value of their pay grades. Mayor Burgess advised the plan adjusts for steps missed. Ms. Stephenson advised the Commission may need to decide what to do so the plan doesn't get skewed again. Ms. Nolen advised the County tends to not make small adjustments, only large adjustments. Ms. Stephenson included a formula for determining future increases due to promotions wherein the employee gets credit for every level worked before

whatever the pay grade was. The structure has been applied to each current County general employee and fee office employees. Mayor Burgess advised he thought the money was available to fund the plan without a tax increase and maintaining the 15% appropriation in general reserve budgeting very conservatively. The pay plan will be in the recommendation to the Budget Committee. The Register of Deed's Office has opted not to participate in the plan. Mayor Burgess advised elected officials have the option to take the Mayor to Court if they do not agree with the pay plan. Ms. Nolen advised any employee can figure their salary with this schedule.

Commissioner Stevens advised the private sector does not guarantee a raise each year and the pay schedule helps mediocre employees. Commissioner Farley advised the plan was fair to the taxpayer and employee and was consistent.

Mayor Burgess advised employee benefits will be reviewed in the future.

Ms. Stephenson advised she hoped to implement an evaluation process next year and if an employee does not meet certain standards they will not receive an increase like the private sector.

Commissioner Black advised although raises were not given every year, likewise there have been no layoffs. Ms. Stephenson advised additionally some positions were not backfilled when an employee left and this was a hardship on the remaining employees at the time. Mayor Burgess advised there are no new positions in the proposed budget.

DEADLINE FOR COMMITTEE APPOINTMENT APPLICATION SUBMISSIONS:

Commissioner Stevens advised he felt there should be a submission deadline for appointment applications and presented a proposal for a deadline policy for the Steering Committee and Commission. Commissioner J. Jordan also provided suggestions for a policy for application submissions without having a deadline but advised Commissioner Stevens suggestions were also OK. Jeremy Cothorn of the County Attorney's Office advised the Steering Committee can adopt a policy for themselves which will not be binding on the Commission. If the Commission adopts a policy the Commission handbook would have to be changed. The Commission can, however, undo any action it takes. The Commission handbook is currently silent on the submission of applications for appointment.

Commissioner J. Jordan advised if a policy is adopted it needs to be a hard and fast rule. Mr. Cothorn advised this was impractical because the Commission can always vote to suspend the rules with a proper vote. Commissioner J. Jordan advised he did not want Steering Committee to be able to suspend the rules. Commissioner J. Jordan advised he was agreeing with Commissioner Gooch as to no deadline for submission. Commissioner Sandlin advised he liked having a deadline. Commissioner Farley advised even in the committee process the rules can be suspended.

"Commissioner Gooch moved, seconded by Commissioner Farley, to adopt the proposal of Commissioner J. Jordan to change the application form to read "(1) Application forms for various boards and committees appointed by the Steering Committee may be turned into the Mayor's Office any time prior to the Steering Committee meeting or the application may be given to the Steering Committee Chairman the night of the Steering Committee meeting. It is suggested that applicants turn in their applications as far in advance of the Steering Committee as possible so that Steering Committee members have as much time as possible to review each application, resumes and related information. (2) The Steering Committee may or may not make a recommendation to the full Commission and any Commissioner may nominate a person from the floor regardless of whether or not that person had filled out an application. (3) If no applications are received by the Commission meeting, then the process will roll over to the next month."

Chairman Coggin questioned with removing the deadline wording from the application was a policy needed. Commissioner Gooch advised the current proposed wording could be in the form of a cover letter.

"The motion passed by acclamation with Commissioner Stevens voting "no"."

Commissioner Gooch advised the motion is just for Steering Committee and does not have to go to the Commission. Chairman Coggin will make a report to the Commission with a copy of the new application.

RESCHEDULE JULY 2 MEETING:

Chairman Coggin advised the only date available to reschedule the July 2 meeting is June 21. If there is no business to handle after the June 4 meeting, the rescheduled July meeting can be cancelled.

There appearing to be no further business to come before the Committee, Chairman Coggin declared the meeting adjourned at 7:53 p.m.

ADAM COGGIN, Chairman